IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

Criminal Application No.4557 of 2006

Sau. Aruna Appa Pawar Applicant

Vs.

State of Maharashtra Respondent

Mr.S.K.Shinde with Mr.Vinod Shah for applicant.

Mr.Y.S.Shinde, APP for State.

CORAM: B.H.MARLAPALLE,J.

January 11, 2007.

P.C.

. Heard Mr.Shinde, the learned counsel for the applicant who is the sister of Pandurang Desale and the deceased Sunita was married to Pandurang. Sunita's dead body was found in the well located in her matrimonial home on 16/11/2006 and an offence came to be registered against the husband and in-laws of the deceased for offences punishable under Sections 498A, 302, 304B read with Section 34 of IPC. The applicant had preferred an application for anticipatory bail and the same has been finally rejected on 11/12/2006 by the learned Addl. Sessions

Judge at Malegaon.

. The place of offence is village Borane in Taluka Malegaon and the applicant is married and residing at Kalyan with her husband and two children, the youngest an infant of four months old. Criminal Application No.339 of 2006 filed by her for anticipatory bail has been rejected by the Addl. Sessions Judge substantially on the ground that she being a resident of Kalyan would not be available for interrogation at Malegaon or within the jurisdiction of the concerned police station in Malegaon taluka, if she is granted anticipatory bail.

. Mr. Shinde, the learned counsel for the applicant on taking instructions from her husband states that the applicant will stay in her brother's house at village Borane for a period of one month and be available for interrogation by the I.O. Such an undertaking will be filed by the applicant with the concerned I.O. within one week from today.

. The application is, therefore, allowed and in the event of the applicant's arrest, she will be released on bail on furnishing PR bond in the sum of

Rs.3000/- with one solvent surety for the like amount and on the further condition that she will stay at village Borane with her brother for a period of one month from filing the undertaking with the concerned I.O. as noted hereinabove and be available for interrogation by the I.O. concerned.

(B.H